

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ROC-17721 - APPLICANT/OWNER: CARS-DB4, LP**

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Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

**Planning and Development**

1. Condition #3 of Z-0099-96 shall be deleted.
2. A Site Development Plan Review (SDR-17720) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

## \*\* STAFF REPORT \*\*

### PROJECT DESCRIPTION

This application is a request for a Review of Condition #3 of the approved Rezoning (Z-0099-96) which required that the north 200 feet of the site be limited to the parking of vehicles at 6300 West Sahara Avenue. The applicant proposes to remodel and expand the existing facility and will encroach upon the 200-foot limitation set forth by Z-0099-96, Condition #3.

A companion Site Development Plan Review (SDR-17720) request has been filed for an expansion and renovation at the existing Automobile Dealership. The proposed expansion will include a new 11,137 square-foot service drop off area, a 3,255 square-foot vehicle delivery area, and a 25,760 square-foot service area addition located within the mentioned 200-foot area of the site limited to parking only.

### BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
10/16/96	The City Council approved a Rezoning and Plot Plan Review (Z-0099-96) for a New Car Dealership. Planning Commission and staff recommended approval.
9/16/05	Code Enforcement Case# 33946: Displaying autos in the landscape areas
6/22/06	Code Enforcement Case# 43718: Displaying autos in the landscape areas
4/13/06	Planning Commission denied a request for a Site Development Plan Review (SDR-12032) to keep four cement landscape display pads in the front landscape perimeter buffer area. Staff recommended denial.
11/16/06	Code Enforcement Case# 48063: Illegal signage.
12/8/06	The Planning Commission accepted the applicant's request for an abeyance to the 2/08/07 Planning Commission. Staff recommended denial.
08/09/07	<p>The Planning Commission recommended approval of companion item SDR-17720 concurrently with this application.</p> <p>The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #29/mh).</p>
<i>Related Building Permits/Business Licenses</i>	
4/24/98	C-54-97: New construction for a 64,807 square foot auto dealership.
5/3/98	Building Certificate of Occupancy issued by the City of Las Vegas Building & Safety Department
5/03/05	Business Licenses # A19-00143 (Auto rental agency) & A16-01002 (Automobile sales) for Desert Toyota & Scion of Southern Nevada,
8/12/06	L-2096-05: Full cantilevered shade structure installed

<b><i>Pre-Application Meeting</i></b>	
07/07/06	A pre-application meeting was held with staff concerning the condition restricting construction in the 200 feet of the northern portion of the site placed by case #Z-0099-96. The applicant was informed that they will also need to submit a Site Development Plan Review in addition to the Review of Conditions application.
<b><i>Neighborhood Meeting</i></b>	
08/23/06	The applicant states in the justification letter that a neighborhood meeting was held with approximately 10 neighbors present. The meeting time, location, and attendance were not provided with the application.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	8.76 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Clark County - Auto Dealership	Clark County	Clark County
East	Electric Utility Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>		X	NA
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>		X	NA
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

## **ANALYSIS**

The Condition #3 of the Rezoning application Z-0099-96 reads as follows:

“3. The north 200 feet of the site shall be limited to the parking of vehicles.”

The existing condition stems from a historical agreement between the neighbors and the applicant regarding the limitation to the 200 feet north of the site being limited to employee parking only. The condition was placed there to prevent the development of service bays within proximity of single-family residential. Although the applicant states that a neighborhood meeting was held, no petitions of support have been filed with the application. There is no substantial reason for removing condition #3, which in effect gives no merit to approving SDR-17720.

## **PLANNING COMMISSION ACTION**

There was one speaker in opposition.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

### **ASSEMBLY DISTRICT** 5

### **SENATE DISTRICT** 8

### **NOTICES MAILED** 273 by Planning Department

### **APPROVALS** 1

### **PROTESTS** 34